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PTO/SB/21 (09-04)

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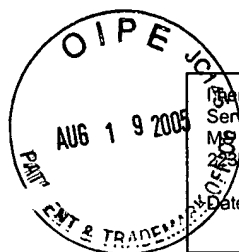
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/617,624	
	Filing Date	July 10, 2003	
	First Named Inventor	Eduardo BLUMWALD	
	Art Unit	1638	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	10	Attorney Docket Number	529642000500

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement - 3 pages <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. PTO/SB/08a/b - 6 pages 2. 76 References 2. Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature	Michael R Ward		
Printed name	Michael R. Ward		
Date	8/17/05	Reg. No.	38,651

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Dated: Aug 17, 2005	Signature: Victoria A. Wilson (Victoria A. Wilson)



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Dated: August 17, 2005

Signature:

Victoria Wilson
(Victoria Wilson)

Patent

Docket No. 529642000500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eduardo BLUMWALD

Serial No.: 10/617,624

Filing Date: July 10, 2003

For: SALT TOLERANT OIL CROPS

Examiner: Not Yet Assigned

Group Art Unit: 1638

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of the documents are also submitted herewith. Reference nos. 35 and 36 are oral presentations, an abstract of which is given in reference no. 31. Reference nos. 37 and 38 are oral presentations, the abstract of which is given in reference no. 29. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

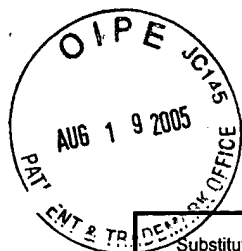
In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **529642000500**.

Dated: August 17, 2005

Respectfully submitted,

By Michael R. Ward
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ALTERNATIVE TO PTO/SB/08a/b (06-03)

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/617,624
				Filing Date	July 10, 2003
				First Named Inventor	Eduardo Blumwald
				Art Unit	1638
				Examiner Name	To Be Assigned
Sheet	1	of	6	Attorney Docket Number	529642000500

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	US 4,616,100	10-07-1986	McHughen et al.	
	2.	US 5,272,085	12-21-1993	Young et al.	
	3.	US 5,346,815	09-13-1994	Krulwich et al.	
	4.	US 5,441,875	08-15-1995	Hediger	
	5.	US 5,563,246	10-08-1996	Krulwich et al.	
	6.	US 5,563,324	10-08-1996	Tarczynski et al.	
	7.	US 5,639,950	06-17-1997	Verma et al.	
	8.	US 5,689,039	11-18-1997	Becker et al	
	9.	US 5,750,848	05-12-1998	Kruger et al.	
	10.	US 5,780,709	07-14-1998	Adams et al	
	11.	US 5,859,337	01-12-1999	Gasser et al.	
	12.	US 6,861,574	03-01-2005	Fukuda et al.	
	13.	US 20030046729 A1	03-06-2003	Blumwald et al.	
	14.	US 20050028235 A1	02-03-2005	Zhang et al.	
	15.	US 20050032112 A1	02-10-2005	Fukuda et al.	
	16.	US 20050144666 A1	06-30-2005	Blumwald et al.	
	17.	US 20050155105 A1	07-14-2005	Blumwald et al.	
	18.	US 11/065,977	FD 02-24-2005	Blumwald et al.	
	19.	US 10/620,061	FD 07-14-2003	Blumwald et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	† ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	20.	EP 1143002 A1	10-10-2001			
	21.	WO 91/06651	05-16-1991			
	22.	WO 96/39020	12-12-1996			
	23.	WO 97/13843	04-17-1997			
	24.	WO 99/47679	09-23-1999			
	25.	WO 00/37644	06-29-2000			

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sf- 1866952

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			Art Unit	1638	
			Examiner Name	To Be Assigned	
Sheet	2	of	6	Attorney Docket Number	529642000500

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	26.	AL-KARAKI, Ghazi N. (2000) "Growth, Water Use Efficiency, and Sodium and Potassium Acquisition by Tomato Cultivars Grown Under Salt Stress," Journal of Plant Nutrition, 23(1):1-8	
	27.	APSE ET AL. (2002) "Engineering salt tolerance in plants" Current Opinion in Biotechnology 13: pp. 146-150.	
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	29.	APSE ET AL. (1998) "Cloning and Characterization of Plant Sodium/Proton Antiports" 11 International Workshop on Plant Membrane Biology, August 1998, Cambridge, U.K. (Abstract).	
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	35.	BLUMWALD ET AL. (Dec. 1998) "Cloning of plant sodium/proton antiports in Arabidopsis" Eastern Regional Meeting of the Canadian Society of Plant Physiologists, Toronto. (Oral Presentation)	
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Sheet	3	of	6	Attorney Docket Number	529642000500

40.	BORGESE ET AL. (1992) "Cloning and expression of a cAMP-activated Na ⁺ /H ⁺ exchanger: evidence that the cytoplasmic domain mediates hormonal regulation" PNAS USA 89: pp. 6765-6769.
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43.	BRANT ET AL. (1997) Human Na ⁺ /H ⁺ exchanger isoform NHE3 composite cDNA: GenBank Accession Number T51330.
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60.	HAHNENBERGER ET AL. (1996) "Functional expression of the Schizosaccharomyces pombe Na ⁺ /H ⁺ antiporter gene, sod2, in Saccharomyces cerevisiae" PNAS USA 93: pp. 5031-5036.
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78.	OHKI ET AL. (1995) "Preference of recombination sites involved in the formation of extrachromosomal copies of the human alphoid Sau3A repeat family" <i>Nucleic Acids Res.</i> 23: pp. 4986-4991.
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80.	ORLOWSKI AND GRINSTEIN (Sep. 1997) "Minireview: Na ⁺ /H ⁺ Exchangers of Mammalian Cells" <i>J. Biol. Chem.</i> 272 (36): pp. 22373 - 22376.
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83.	RHOADS ET AL. (1998) "Regulation of the cyanide-resistant alternative oxidase of plant mitochondria" <i>J. Biol. Chem.</i> 273 (46): pp. 30750-30756.
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86.	SANTA-MARIA, Guillermo E. et al. (Dec. 1997) "The HAK1 Gene of Barley is a Member of a Large Gene Family and Encodes a High-Affinity Potassium Transporter," <i>The Plant Cell</i> , 9:2281-2289
87.	SASAKI ET AL. (Apr. 1998) Rice cDNA from panicle C91832: Genbank Accession Number C91832.
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89.	SCHACHTMAN ET AL. (1997) "Molecular and functional characterization of a novel low-affinity cation transporter (LCT1) in higher plants" <i>PNAS USA</i> 94: pp. 11079-11084.
90.	SEKI ET AL. (2002) RAFL6 Arabidopsis thaliana cDNA clone: GenBank Accession Nos.: AV785096 and AV798305.
91.	STRATHMANN ET AL. (1989) "Diversity of the G-protein family: sequences from five additional alpha subunits in the mouse" <i>Natl. Acad. Sci. USA</i> 86: pp. 7407-7409.
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94.	WEST, D.W. et al. (1984) "Response of Six Grape Cultivars to the Combined Effects of High Salinity and Rootzone Waterlogging," <i>J. Amer. Soc. Hort. Sci.</i> 109(6):844-851

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	95.	WOOD ET AL. (Nov. 1998) Direct submission schizosaccharomyces pombe chromosome I sequencing project: GenBank Accession Number CAB10103.	
	96.	YAMAMOTO ET AL. (Oct. 1998) Rice cDNA from green shoot: GenBank Accession Number AU032544.	
	97.	YOKOI ET AL. (2002) Arabidopsis thaliana Na ⁺ /H ⁺ exchanger 5 (NHX5) mRNA: GenBank Accession Number AF490589.	
	98.	ZANDONELLA (Jul. 2001) "Gene modified tomato revels in salty soils" New Scientist. Retrieved Feb. 23, 2002, from < http://www.newscientist.com/channel/health/gm-food/dn1092 >.	
	99.	ZHANG ET AL. (2001) "Engineering salt-tolerant Brassica plants: Characterization of yield and seed oil quality in transgenic plants with increased vacuolar sodium accumulation" PNAS USA 98 (22): pp. 12832-12836.	
	100.	ZHANG ET AL. (2001) "Transgenic salt-tolerant tomato plants accumulate salt in foliage but not in fruit" Nature Biotechnology 19: pp. 765-768.	

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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